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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: 23ANDME, INC. CUSTOMER
DATA SECURITY BREACH LITIGATION

This Document Related to: ALL ACTIONS

No. 3:24-md-03098-EMC

**DECLARATION OF GERALD
THOMPSON IN SUPPORT OF
SUPPLEMENTAL BRIEF REGARDING
CYEX IN RESPONSE TO MINUTE
ORDER [DKT. 156]**

Courtroom: 5, 17th Floor
Judge: Hon. Edward M. Chen

1 I, Gerald Thompson do hereby declare as follows:

2 1. I am the Executive Vice President & Founder of CyEx, llc. I have worked at CyEx
3 since 2015 and am intimately familiar with the company and its products. I have personal
4 knowledge of the matters stated herein, and if called upon, I could and would competently testify
5 thereto. I submit this declaration in support of Plaintiffs' supplemental brief regarding CyEx in
6 response to this Court's Minute Order. Dkt. 156.

7 2. On November 25, 2024, the Court requested that the Settling Parties provide the
8 Court additional information regarding CyEx, the proposed provider of the Privacy & Medical
9 Shield + Genetic Monitoring ("Privacy Shield") program to Settlement Class Members (Dkt. 156).

10 3. CyEx was founded in 1995 as Intersections Inc. and was one of the first companies
11 to offer identity protection and remediation to consumers in the United States. CyEx is a subsidiary
12 of Pango Holdings as described more fully below.

13 4. CyEx's services operate in two main areas: cyber incident response and data breach
14 and privacy class action settlements. In the last two years, CyEx has been awarded contracts to
15 service many of the largest data breach class action settlements, including: *In re: Capital One Inc.*
16 *Customer Data Security Breach Litigation*, Case No. 1:19-md-2915 (AJT/JFA) (E.D. Va.); *In Re:*
17 *T-Mobile Customer Data Security Breach Litigation*, Case No. 4:21-MD-03019-BCW (W.D.
18 Mo.); *In re: Morgan Stanley Data Security Litigation*, Case No. 1:20-cv-05914 (S.D.N.Y.);
19 *Aguallo, et al. v. Kemper Corporation & Infinity Insurance Company, Inc.*, Case No. 1:21-cv-
20 01883 (N.D. Ill.); *Heath, et al. v. Insurance Technologies Corp. & Zywave, Inc.*, Case No. 3:21-
21 cv-01444-N (N.D. Tex.); *In re: Banner Health Data Breach Litigation*, Case No. 2:16-cv-02696-
22 SRB (D. Ariz.); *In re Arthur J. Gallagher Data Breach Litigation*, Case No. 1:22-cv-00137 (N.D.
23 Ill) and others. Since 2016, CyEx has provided services for more than 2,100 data breaches of all
24 sizes and across multiple industries.

25 5. CyEx is an innovative provider of monitoring services for victims of data breach
26 incidents and has built monitoring solutions that focus on the specific type of data breach and
27 the most appropriate and effective service to provide the maximum monitoring capability and
28 security and customer support for that action. As an example, CyEx's "Medical Shield" is the
only provider of medical identity monitoring services for healthcare related data breaches; and

1 its “Privacy Shield” provides consumers with a suite of tools that, when used, will gradually
2 diminish their digital footprint using state of the art technology launched from the Privacy
3 Shield “dashboard,” including a data broker opt out feature, a password manager, and a VPN
4 service, where CyEx has developed and/or owns the proprietary services offered. For this case,
5 these two services have been integrated, along with CyEx providing the genetic monitoring
6 capability.

7 6. CyEx, also as Intersections Inc., under white label brands and through its own
8 brands, has protected more than 48 million citizens in the United States and more than 2.34
9 million families since 1995. CyEx has distributed its services through a focused distribution
10 network of large U.S. financial institutions and large enterprise companies since its founding
11 and, since 2010, has serviced both large and small data breach populations.

12 7. CyEx views the customer care its offers via its call centers as a critical component
13 of its business. The average tenure of a CyEx call center agent is more than six years, which
14 surpasses the average in the industry. The core competency of the Customer Care team is
15 dealing with a wide variety of identity and/financial malfeasance matters across a broad
16 spectrum of incidents. The CyEx team has well developed protocols to deal with any incident
17 related to identity, medical & healthcare data exposure, financial account exposure and misuse
18 and privacy related data exposure.

19 8. CyEx is one of four operating companies held by Pango Holdings. Pango
20 Holdings is a privately held company with several large investors including Warburg Pincus,
21 General Catalyst, WndrCo, Met Life, Madrone Capital Partners (Walton Family Office) and
22 others. Key senior leadership also own a meaningful stake in the company. Because the
23 company is held privately, Pango Holdings’ financial statements are not publicly available,
24 however, as CyEx’s Executive Vice President & Founder, I am able to report that the company’s
25 revenues in 2024 exceed \$250 million. Each of the four operating businesses held by Pango
26 Holdings is profitable on a stand-alone basis. In May 2024, CyEx acquired a settlement
27 administration company, Simpluris, Inc., in an all-cash transaction for an amount in the \$100
28 million range.

9. Pango Holdings' four operating companies are as follows:

- Anchor Free (www.anchorfree.com), the third largest provider of VPN services globally under brands that include Hot Spot Shield, Betternet and multiple other private label brands. Anchor Free on-boards more than 200,000 users globally every day into their services.
- Comparitech (www.comparitech.com), a digital publishing company based in London, writes and publishes reviews of the leading antivirus and VPN providers and generates revenues based on Search Engine Optimization (SEO) and click rates. It is the smallest of Pango Holdings' business units, with annual revenues under \$20 million.
- Pango Co. (www.pango.co.com) is an operating business that both sells and licenses identity theft prevention, VPN and antivirus software and services to large corporations for resale to their client bases. Pango Co. markets brands owned by Pango Holdings, as well as private label brands of their clients. This business unit has active monthly subscribers generated through relationships with Costco, Comcast, Yahoo, Bit Defender, Kaspersky, Bank of America and several other global enterprises.
- CyEx (www.cyex.com) is the second largest revenue generator in the Pango Holdings portfolio. In 2023, the CyEx brand was launched; however, the business has existed under other monikers since 1995. Originally known as Intersections Inc., it was the first company to offer identity theft prevention services to consumers in the United States and Canada. CyEx has been offering identity theft prevention services to consumers for longer than any of the credit bureaus.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 3rd day of December, 2024.


GERALD THOMPSON